

The Shelton Conservation Commission supports proposed legislation such as SB 90, SB 43 and HB 5254, acts that concern recreational municipal liability on open space.

In the past fifteen years, Shelton volunteers have created eleven miles of trails so that residents can more fully experience their open spaces. At the same time, court cases have determined that current state law does not protect the City from a lawsuit.

There is an *inherent risk* when hiking, biking or riding horseback on trails. Our volunteers attempt to make difficult sections of trail more accessible by building bridges and steps, or by leveling out the trail. However, the very act of making the trails safer increases our liability, because now someone can claim that the steps were built improperly, the bridge had inadequate railings, or the trail was not smooth enough.

Our volunteers do the best they can. Hikers are appreciative of trail improvements such as bridges and steps, realize they are built by volunteers, and are understanding if a step gives way or they lose their footing. However, all it takes is one person to trip and file a lawsuit against the City to ruin it for everyone else.

The recent award of three million dollars to a mountain biker who was racing downhill without looking where she was going and hit a gate is of serious concern, because something like this could happen in Shelton.

Thomas Harbinson, Chairman  
Shelton Conservation Commission